

CALL TO ORDER

Deputy Mayor Dziubek opened the meeting at 7:08 p.m.

“Sunshine Law” Announcement: Adequate notice of this public meeting has been provided by the Annual Notice; faxed to the Hunterdon Democrat and Courier News; posted on the public bulletin board and on file in the Municipal Clerk’s Office.

FLAG SALUTE

ROLL CALL - Present: Rob Haynes Matt Severino, William Bischoff, Patricia Dziubek

Absent: Frank Mazza.

Others Present: J. Peter Jost, Esq., Ella M. Ruta, Township Clerk.

APPROVAL OF MINUTES

- a. Regular Meeting Minutes of July 23, 2008.

Mrs. Dziubek corrected spelling of the last name of DCA representative from Dennis Andrews to Dennis Sanders in regular meeting minutes. Mr. Bischoff made a motion to approve the July 23, 2008 regular minutes as amended and Executive Session Minutes. Mr. Haynes seconded the motion. Vote – Ayes; Mr. Haynes, Mr. Severino, Mr. Bischoff, Mrs. Dziubek. Motion carried.

VISITORS

- a. Steven Balzano – Environmental Strategies Inc.

Per Mayor’s request, Mr. Balzano reiterated the scope of his work and services. He said that his job would be identifying a technical approach; make certain that all Twp. professionals are consistent with that approach and coordinating it. Township professionals would then prepare various plans and reports. He pointed out the four critical elements the municipality has to contend with are COAH, Wastewater Management, Highlands planning efforts and the Master Plan. Mr. Balzano’s recommendation was that the task force involved in working on all of them should include representatives from the Twp. Committee, Planning Bd., and Environmental Commission. Tonight he mostly concentrated on COAH issues, but also mentioned Highlands regulations, Wastewater Management Plan and the Master Plan. He provided deadlines, obligations of municipalities and new laws etc. regarding COAH. Mr. Balzano stressed the importance of compliance with State regulations, if they are challenged. He said he would work closely with appropriate professionals on all four major elements; COAH, Wastewater Management Plan, the Master Plan and Highlands Plan. Mr. Balzano would then report on a regular basis to the Committee or an appointed liaison.

Mr. Bischoff recommended, since different boards and committees will be involved, that perhaps Mr. Balzano could provide two planning tools. They would be a decision tree and critical path schedule. Having those tools available, everyone would have an idea where they fit and how this whole project comes together. Mr. Balzano agreed.

Mr. Bischoff made a motion to authorize Atty. Jost to send a letter to the Township Planner, Engineer and other concerned Township professionals advising them that Mr. Balzano was designated as the coordinator on behalf of the Township Committee in the areas of Highlands Planning, COAH Rules, Wastewater Management Planning and Cross Acceptance Planning and any related issues. Mr. Severino seconded the motion. Vote – Ayes; Mr. Haynes, Mr. Severino, Mr. Bischoff, Mrs. Dziubek. Motion carried.

OUT OF AGENDA ORDER

The following resolution was introduced for adoption:

RESOLUTION #2008-133**2008 TAX REFUND**

WHEREAS, there exists for 2008 a refund of taxes for the following:

BLOCK	LOT	QUALIFIER	NAME	AMOUNT
1.09	13		Nenna, Anthony	\$5,849.00

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Union, County of Hunterdon, State of New Jersey, that the 2008 refund(s) be paid to the above stated name(s) or designee and that the Treasure of the Township of Union is hereby authorized to issue a check in the stated amount(s).

Mr. Bischoff made a motion to adopt above resolution. Mr. Haynes seconded. Vote – Ayes; Mr. Haynes, Mr. Severino, Mr. Bischoff, Mrs. Dziubek. Motion carried.

EXECUTIVE SESSION

At approximately 7:57 p.m., the following resolution was introduced for adoption:

RESOLUTION #2008-134**EXECUTIVE SESSION**

WHEREAS, N.J.S.A. 10:4-12 allows for a public body to go into closed session during a public meeting; and

WHEREAS, the Union Township Committee has deemed it necessary to go into closed session to discuss certain matters which are exempt from the public.

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Union will go into closed session for the following reason(s) as outlined in N.J.S.A. 10:4-12: Litigation.

Mr. Severino made a motion to adopt the above resolution. Mr. Haynes seconded. Vote – Ayes: Mr. Haynes, Mr. Severino, Mr. Bischoff, Mrs. Dziubek. Motion Carried.

At approximately 8:26 PM, Mr. Severino made a motion to return to the regular meeting, Mr. Haynes seconded. Vote – Ayes: Mr. Haynes, Mr. Severino, Mr. Bischoff, Mrs. Dziubek. Motion Carried.

REPORTS RECEIVED

- a. Road Dept.- Week Ending 6/27/08; 7/03/08; 7/11/08; 7/18/08; 7/25/08; 8/01/08
– Mr. Bischoff questioned repair service on one of the Road Dept's trucks
- b. Building Dept. – June 2008
- c. UT Municipal Court – June 2008
- d. Tax Collector – July 2008
- e. Environmental Commission

CORRESPONDENCE

Mr. Bischoff mentioned the following:

- NJLM Fax Advisory Letter “Public Safety Related Costs Property Tax Relief” with resolution attached. Asked if the Committee should support it. No support was offered.
- A letter from HC Agriculture Development Board regarding Farmland preservation Program (Roerig Farm). Mr. Bischoff asked if the land could be utilized for COAH. After a short discussion, it was agreed that the cost sharing would be too high to pursue it further.
- A memo from Tewksbury Twp. with regard to designation of I-78 as a Scenic Byway. Mr. Bischoff asked if same resolution adopted by Union Twp. was forwarded to Lebanon Borough. Atty. Jost and Mrs. Dziubek replied in the affirmative. Atty. Jost added that similar resolution has to be adopted by the Union Twp. Planning Board. Clerk was directed to ask Planning Board Secretary to include it on the next meeting agenda of the Planning Board.
- A resolution from City of Perth Amboy regarding a request that the Governor and Legislature amend pending legislation to honor previous RCA commitments. Mr. Bischoff recommended adopting resolution in support of amendment request. The following resolution was introduced for adoption:

RESOLUTION #2008-135**RESOLUTION IN SUPPORT OF RESOLUTION R-279-7/08 OF PERTH AMBOY**

Be it resolved, that the Township of Union support the resolution #R-279-7/08 by the City of Perth Amboy with regard to Regional Contribution Agreements for the reasons set forth in the City of Perth Amboy resolution. A copy of that resolution is attached hereto and made a part hereof these minutes.

RESOLUTION REQUESTING THAT THE STATE OF NEW JERSEY AND THE COUNCIL ON AFFORDABLE HOUSING HONOR PREVIOUS REGIONAL CONTRIBUTION COMMITMENTS AND PROJECTS FOR PREVIOUSLY IDENTIFIED AFFORDABLE HOUSING WITH FUNDS TOTALING \$20,235,000.00

WHEREAS, the City of Perth Amboy has previously received formal commitments for Regional Contribution Agreement (“RCA”) funds from various municipalities by way of authorizing resolutions; and

WHEREAS, City of Perth Amboy has entered into formal Regional Contribution Agreements with the following municipalities: Cranbury Township, Delaware Township, Monroe township, Woodbridge Township, Union Township, Warren Township, Reading Township, Plainsboro Township and Montgomery Township; and

WHEREAS, the total of these commitments amount to \$20,235,000.00, which was anticipated to assist affordable housing projects in various stages of planned and underway projects; and

WHEREAS, these projects include Sheridan Street Apartments – of \$1,020,000.00; King Plaza - \$4,000,000.00; Senior Housing, New Brunswick Avenue Project - \$2,500,000.00; Volunteers of America-Buckingham Avenue Project - \$765,800.00; Hobart Street Plaza – \$1,820,000.00; DeKalb Avenue Project - \$360,000.00; scattered site housing rehabilitation for low-income property owners; and associated administrative cost; and

WHEREAS, the City of Perth Amboy has incurred substantial costs in the planning and preparation process associated with these affordable housing projects; and

WHEREAS, there continues to be a great demand for said assistance that will affect the City's effort in providing affordable housing to low income families ; and

WHEREAS, New Jersey Legislature has submitted legislation to the Governor tat would discontinue and void Regional Contribution Agreements.

NOW, THEREFORE, IT IS HERBY RESOLVED BY THE COUNCIL OF THE CITY OF PERTH AMBOY:

1. That the governing body determines that ii is in the best interest of the City to pursue enforcement and funding of these projects and for \$20,235,000.00 in Regional Contribution Agreements.
2. That the governing body of the City of Perth Amboy herby requests that the Governor and Legislature of the State of New Jersey amend the pending legislation (A500/SI783) to grandfather the forgoing Regional Contribution Agreements and release the \$20,235,000.00 in associated funding.
3. That the appropriate City officials are hereby authorized to take all necessary steps to advance and implement this resolution in furtherance of these projects, subject to all applicable project plan review procedures and terms of the respective agreements between the City and Sponsor.
4. That the Mayor and proper City officials are authorized to forward a copy of this resolution to the proper State officials requesting that all previous commitments be honored.
5. That a copy of this resolution be sent to the above cited municipalities.

Mr. Bischoff made a motion to adopt resolution #2008-135. Mr. Severino seconded. Vote – Ayes; Mr. Haynes, Mr. Severino, Mr. Bischoff, Mrs. Dziubek. Motion carried.

- Resolution #120-08 adopted by East Amwell opposing Proposed Bill A-2867 and S-1919. The Twp. Committee unanimously agreed to introduce the following resolution for adoption:

RESOLUTION #2008-136

Opposing Proposed Assembly Bill A-2867 (and Identical Senate Bill S-1919)
Known as the "Permit Extension Act of 2008"

WHEREAS, on May 19, 2008, New Jersey State Assemblyman Louis Greenwald (D-6) and Assemblyman Joseph Cryan (D-20) introduced Assembly Bill A-2867 known as the "Permit Extension Act of 2008", (with identical Senate Bill No. S-1919 introduced in the New Jersey Senate by NJ State Senator Paul Sarlo [D-36] and Senator Jeff Van Drew [D-1]) (the "Act"); and

WHEREAS, the Act, as introduced, declares that there exists - from the period of January 1, 2006 and continuing through to December 31, 2012, a state of economic emergency in the State of New Jersey, particularly a crisis in the banking, real estate and constructions sectors, and declares that as a result of the crisis real estate and industrial developers have experienced an industry-wide decline. The Act finds that a "myriad of new regulations with regard to environmental protection have significantly increased" costs of development, in addition to other findings regarding development costs and the permitting and approval process; and

WHEREAS, the Act purports to address New Jersey's state of economic emergency by automatically suspending the running of the period of approvals – tolling the period of time when an affected government or agency- issued permit or approval would otherwise expire, including extending certain approvals that have already expired. The proposed permit extension would extend the expiration of approvals at least through December 31, 2012, and certain approvals up to two years thereafter; and

WHEREAS, although it is commendable that the New Jersey Legislature would seek proactively to recognize and address a state of economic emergency, the proposed Permit Extension Act of 2008 is ineffectual to accomplish its stated purposes of preventing a waste of public and private resources, fails to address any such economic emergency or provide any economic stimulus benefit, improperly interferes with the powers and authorities of local municipalities, and may in fact result in a severe detrimental impact upon the environment and the general public health, safety and wellbeing by allowing projects with expired approvals, or stalled projects with approvals set to expire, to avoid having to comply with subsequent changes in environmental law, public health standards, building codes or local zoning; and

WHEREAS, it is the steadfast and earnest opinion of the Union Township Committee that the proposed Act is neither beneficial nor in the best interests of the citizens of Union Township, and, rather than providing an economic benefit, would adversely impact the residents of this State.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Committee of Township of Union, in the County of Hunterdon, State of New Jersey, as follows:

1. The Mayor and Committee of Union Township strongly oppose Assembly Bill A-2867 (and identical Senate Bill No. S-1919) known as the "Permit Extension Act of 2008", as introduced.

2. The Mayor and Committee of Union Township urge its State Legislators to oppose the Permit Extension Act of 2008.

3. The Mayor and Committee of Union Township urge its State Legislators and the Governor to consider and propose better options for addressing a state of economic emergency and providing a benefit to the citizens of this State at large, rather than relying upon the presently proposed extension of permits and approvals to the benefit of developers.

4. The Township Clerk is authorized and directed to forward a copy of this Resolution to Assemblywoman Marcia Karrow, Assemblyman Michael Doherty, Senator Leonard Lance, the Office of Governor Jon Corzine, the NJ State League of Municipalities, and to the clerks of all municipalities within Hunterdon County and Mercer County.

Mr. Bischoff made a motion to adopt above resolution. Mr. Severino seconded. Vote – Ayes; Mr. Haynes, Mr. Severino, Mr. Bischoff, Mrs. Dziubek. Motion carried.

Clerk was directed to forward above resolution to NJ Environmental Agencies.

- A letter from Whitestone Associates Inc. regarding Statement of Consent Request for Block 11, Lot 24.03. Clerk was directed to forward a copy of the letter to Mr. Balzano, Twp.'s Environmental Consultant.
- A letter form HC Planning Board relating to individual municipalities participation in the County's Wastewater Management Plan. The Clerk was directed to forward the letter to Mr. Balzano with a note asking for his recommendation on what action should be taken by the Committee.
- A letter from the NJ Treasurer regarding Cost Sharing for State Police Services. The Clerk was directed to forward the letter to UT Assessor to determine consistency with data provided in the letter.

Mr. Severino mentioned the following:

- Stated that the proposed charges for State Police services are being challenged by the NJ League of Municipalities. The case is going before the Court. He added that support by individual municipalities should be offered when it becomes necessary.
- A letter from NJ DEP pertaining to suspected hazardous (hydrocarbons) substance discharge. Mr. Severino asked what kind of a substance hydrocarbons would be. No sufficient explanation was given.

Mr. Haynes mentioned the following:

- Attended pre-construction conference on resurfacing of I-78 along Union Twp. He said the project should be finished this year.

Mrs. Dziubek mentioned the following:

- Bill A-500, implementation of the Commercial Development Fee. Construction Dept. needs to update charges accordingly. Atty. Jost will help them with interpretation of the new law.
- Final Ground Water Renewal Permit for Village Square. She asked who is responsible for inspections at that development. Atty. Jost explained that both NJDEP and Homeowners Association are involved in the inspection process.
- Deed of Conservation Restriction for Properties Purchased through EIFP. Mrs. Dziubek would like to make certain that such documents are recorded properly.
- Asked if copy of a 2008 budget impact survey to DCA was completed. Twp. CFO Grace Brennan will be contacted to complete the survey and provide a copy to the Committee.

PUBLIC COMMENTS

Mr. Severino stated that some time ago Mr. Castellano, present at the meeting, asked for a megaphone or similar device to announce closing of the park. Mr. Castellano said that it is very difficult to make people leave the park at dusk. He said that maybe if an announcement was louder then he would not have to go to individuals to ask them to leave. The Committee will look into cost of such device and get back to Mr. Castellano.

Mr. Castellano informed the Committee of other issues with regard to park users. He said that especially the adult men's soccer team does not comply with park rules. He also said they just do not pay any attention to his requests. Mr. Castellano noted that alcohol is consumed at the park by the group.

It was the Committee consensus that a memo regarding above-mentioned issues should be sent to the UT Recreation Committee. The Clerk will tend to this matter.

PUBLIC HEARING – 2nd reading - None

OLD BUSINESS

- a. The following resolution was introduced for adoption:

RESOLUTION 2008-137

**RESOLUTION OF THE TOWNSHIP OF UNION, IN THE COUNTY OF
HUNTERDON, STATE OF NEW JERSEY PROVIDING FOR A PUBLIC QUESTION RELATING
TO OPEN SPACE PRESERVATION TO BE SUBMITTED TO THE VOTERS OF THE
TOWNSHIP AT THE GENERAL ELECTION**

TO BE HELD ON TUESDAY, NOVEMBER 4, 2008

WHEREAS, on November 3, 1998, the voters of the Township of Union, in the County of Hunterdon, State of New Jersey (the "Township") approved a public question authorizing the establishment of an "Open Space Trust Fund" and the imposition of a local property tax in the amount of \$.02 per hundred dollars of assessed valuation, to be deposited in said dedicated fund, for the preservation of open space and farmland (the "1998 Public Question"); and

WHEREAS, applicable New Jersey law (N.J.S.A. 40:12-15.7(d)) provides that the Township may submit to the Township voters in a general or special election a supplemental public question which would amend the amount of the rate levied annually providing for the cost of such purposes; and

WHEREAS, the Township now desires to supplement the 1998 Public Question to increase the annual property tax levy from \$.02 per hundred dollars of assessed valuation to up to \$.04 per hundred dollars of assessed valuation to provide for the costs of its open space preservation program for all of the various purposes outlined in N.J.S.A. 40:12-15.7 (the "2008 Public Question"), such authorization enabling the Township to continue to implement its open space preservation goals; and

WHEREAS, the Township now seeks to authorize the placement of the 2008 Public Questions on the ballot at the November 4, 2008 General Election (the "General Election").

NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Union, in the County of Hunterdon, State of New Jersey AS FOLLOWS:

1. The Clerk of the Township is hereby directed to request that the Clerk of the County of Hunterdon print upon the official ballot to be used at the General Election, the following public question and interpretive statement.

TOWNSHIP OF UNION PUBLIC QUESTION

Shall the governing body of the Township of Union, in the County of Hunterdon, State of New Jersey increase the current open space annual property tax levy from \$.02 to \$.04 per hundred dollars of assessed valuation to provide for the costs of the Township's Open Space Trust Fund Program, with the entire proceeds of such proposed \$.04 levy to be used exclusively for reducing the Township's existing open space debt, and with such increase to be terminated upon the payoff of such debt.

INTERPRETATIVE STATEMENT

In order to accelerate the reduction of Union Township's annual debt service for already preserved open space, including primarily the Milligan Farm, the Township of Union is proposing to increase the current open space tax levy from \$.02 per hundred dollars of assessed valuation up to \$.04 per hundred dollars of assessed valuation. The entire levy of up to \$.04 per hundred dollars of assessed valuation would be used only for open space debt reduction. Once the open space debt has been eliminated, the open space tax levy would automatically be reduced to its current rate of \$.02 per hundred dollars of assessed valuation and be used only for future purchases of additional open space. Currently, taxpayers are paying for this debt service through general funds in the municipal budget. State mandatory cap limits and ever decreasing State Aid to Municipalities creates an adverse effect on municipal tax rates now and for the future. Accelerated debt reduction through an increase in the open space tax levy will decrease the total open space debt expense to the benefit of taxpayers.

Example of cost to homeowner: on a house having an assessed value of \$400,000, an open space tax increase of \$.02 per hundred dollars of assessed valuation would result in an additional property tax of \$80 per year.

2. The Township hereby approves and adopts the 2008 Public Question and Interpretive Statement to be submitted to the voters of the Township at the General Election.

3. The Clerk of the Township, Chief Financial Officer, Mayor, Bond Counsel and Township Counsel are each hereby authorized and directed to undertake all applicable functions necessary to place the 2008 Public Question and Interpretative Statement on the General Election Ballot, including forwarding a certified copy of this resolution to the Clerk of Hunterdon County no later than seventy-four (74) days prior to the date of the General Election with a request that the 2008 Public Question and the Interpretive Statement be placed on the official ballot for the General Election.

4. The Township Counsel or Bond Counsel of the Township is hereby authorized to adjust, amend and/or supplement the 2008 Public Question and Interpretative Statement as necessary to comply with the law prior to submission of said questions and statements to the Clerk of the County of Hunterdon.

BE IT FURTHER RESOLVED that this resolution shall take effect immediately.

Mrs. Dziubek, for the record, read the question and interpretive statement.

The newspaper reporter announced that at last night's Freeholder's meeting it was decided to vote to release \$1,500,000.00 for Milligan Farm at their next meeting.

Mr. Bischoff asked if the information would be in the next issue of the local newspaper. She replied yes.

Atty. Jost stated that even if the County released the funds for Milligan Farm, the Committee would still go forward with the resolution to put a question on the November ballot to increase open space tax.

Mr. Haynes said he is hoping that voters read the interpretive statement of the question as it clearly explains the purpose for the increase.

Briefly discussed was the importance for the public to understand the need for the increase and ways of making it easy for the taxpayers to understand.

Clerk was asked to hand deliver a certified copy of the resolution to the County Clerk's Office. Additional certified copy will be sent by registered mail.

Mr. Bischoff made a motion to adopt above resolution #2008-137. Mr. Severino seconded. Vote – Ayes; Mr. Haynes, Mr. Severino, Mr. Bischoff, Mrs. Dziubek. Motion carried.

b. Motion – Cozze Bros, LLC; 2008 Junkyard License Renewal Application

Atty. Jost stated that a letter from Mrs. Louis Cozze was received with regard to tires issue. In that letter she provided a date of August 1, 2008 for cleaning up tires by the railroad tracks. A second date for cleaning tires that are down in the gully was set for end of October. Mr. Jost said that he contacted HC Health Dept. with regard to tire storage at junkyards. He was told that there is a certain legitimate inventory of tires that would be permitted in a motor vehicle junkyard in the area where it would not create any kind of safety issues.

After a brief discussion, it was agreed to wait for Twp's Engineer advice before renewing 2008 license.

Motion to approve Cozze Bros. junkyard license renewal was postponed until next Twp. Committee meeting.

NEW BUSINESS

a. The following resolution was introduced for adoption:

RESOLUTION 2008-138

**Mr. & Mrs. Vimal Patel, 162 Perryville Road
Hampton, NJ 08827, Block 22 Lot 36.01**

WHEREAS, Mr. & Mrs. Vimal Patel posted a demolition bond for block 22, lot 36.01 and

WHEREAS, the work and inspection are complete, and

WHEREAS, the construction office has issued a certificate of approval for this project, and asked for the refund of this bond to Mr. and Mrs. Vimal Patel

NOW, THEREFORE, BE IT RESOLVED, that the demolition bond in the amount of \$6,000.00 be refunded to Mr. and Mrs. Patel,

BE IT FURTHER RESOLVED, that this resolution shall take effect immediately.

After a brief discussion, questioning full refund rather than 90% of the bond, Mr. Haynes made a motion to adopt above resolution approving full refund. Mr. Severino seconded the motion. Vote – Ayes: Mr. Haynes, Mr. Severino, Mr. Bischoff, Mrs. Dziubek. Motion Carried.

b. The following resolution was introduced for adoption:

RESOLUTION 2008-139

**ESCROW REFUND
Gregg and Susan Schuyler
124 Driftway East, Hampton, NJ 08827
Block17, Lot 3**

WHEREAS, Greg and Susan Schuyler, posted an escrow account for a planning board application, at block 17, lot 3 , and

WHEREAS, the application was completed and all escrow invoices have been paid, and

WHEREAS, there is a remaining balance of \$668.15,

NOW, THEREFORE, BE IT RESOLVED that the balance of this escrow account, in the amount of \$668.15 be refunded to Greg and Susan Schuyler.

Mr. Haynes made a motion to approve above resolution. Mr. Severino seconded the motion. Vote – Ayes: Mr. Haynes, Mr. Severino, Mr. Bischoff, Mrs. Dziubek. Motion Carried.

c. The following resolution was introduced for adoption:

RESOLUTION 2008-140

ESCROW REFUND
Hilltop Fuel, C/o Donald Feltri
PO Box 5296, Clinton, NJ 08809
Block 11, Lot 24.03

WHEREAS, Hilltop Fuel posted an escrow account for a planning board application, at block 27, lot 24.03, and

WHEREAS, the application was completed and all escrow invoices have been paid, and

WHEREAS, there is a remaining balance of \$332.94,

NOW, THEREFORE, BE IT RESOLVED that the balance of this escrow account, in the amount of \$332.94 be refunded to Hilltop Fuel Company.

Mr. Severino made a motion to approve above resolution. Mr. Bischoff seconded the motion. Vote – Ayes: Mr. Haynes, Mr. Severino, Mr. Bischoff, Mrs. Dziubek. Motion Carried.

d. The following resolution was introduced for adoption:

RESOLUTION 2008-141
ESCROW REFUND
Donna Glatt, 15 Stonebridge Road
Hampton, NJ 08827, Block 21, Lot 29.11

WHEREAS, Donna Glatt posted an escrow account for a planning board application, at block 21, lot 29.11, and

WHEREAS, the application was completed and all escrow invoices have been paid, and

WHEREAS, there is a remaining balance of \$430.00

NOW, THEREFORE, BE IT RESOLVED that the balance of this escrow account, in the amount of \$430.00 be refunded to Donna Glatt.

Mr. Severino made a motion to approve above resolution. Mr. Bischoff seconded the motion. Vote – Ayes: Mr. Haynes, Mr. Severino, Mr. Bischoff, Mrs. Dziubek. Motion Carried.

e. **Motion** – Approval of ½ Ironman and Sprint Triathlon – September 28, 2008

Mr. Bischoff made a motion to approve above-mentioned Triathlon. Mr. Haynes seconded the motion. Vote – Ayes: Mr. Haynes, Mr. Severino, Mr. Bischoff, Mrs. Dziubek. Motion Carried.

f. **Discussion** – Developing a Plan to Comply with new HC Recycling Regulations

Mr. Severino, after consulting with Mayor Mazza, arranged for garbage disposal companies to come to the Committee meeting to share their ideas on improving participation and possibly decreasing the cost of recycling. Mr. Severino believes that we should switch to single stream approach, which is comingling of all recyclables. There are disposal companies that do just that, he said. To improve participation, he would recommend additional days for residents to drop off recyclables.

Briefly discussed were various options with respect to new County recycling regulations.

Mr. Severino arranged for Betsy Levin from Greenstar Recycling Company to come to the Township's September 3rd meeting.

NEW ORDINANCE – 1st Reading – None

REPORTS

- a. **Engineer's Report** – not present for the meeting
- b. **Attorney's Report** – Mr. Jost reported the following:
 - Has matters for Executive Session
 - Progress on Highlands Assessment Application. Mr. Jost asked Clerk for a copy of resolution authorizing Mr. Hintz to proceed with the application. Clerk will certify the adopted resolution #2008 - 107 and mail it together with signed application to the NJ Highlands Council.

The Committee took a short recess from 9:57 to 10:01 pm.

- c. **Mayor's Report** – not present for the meeting
- d. **Committee Report**

Mr. Haynes reported the following:

- Asphalt Paving System will be late starting oil and chip work due to lack of signs placed to inform residents of road maintenance/construction

Mr. Bischoff reported the following:

- Has matters for Executive Session
- Questioned current Court funds expenditures. Mr. Bischoff said that it is his understanding that the Court office is continuing to purchase supplies for which there is no need such as additional pepper spray when no court sessions are scheduled. It was concluded that invoice for pepper spray goes back to April and not paid until now because vendor signature was missing. Mr. Bischoff questioned if the Township is obligated to supply uniforms for court bailiffs. Atty. Jost replied that the Twp. probably is. Briefly discussed was the approval process for expenditure of individual departments funds.

Mr. Severino reported the following:

- Last year's complaint by the Leonard family about noise created by school air conditioning unit. Mr. Severino followed up on it with Mr. Bender and Mr. Sroka. They have promised to have an acoustic engineer conduct a noise study. The study has been completed and Mr. Severino was copied on the report. He said that after discussing it tonight with the Committee he is going to forward a copy of the study to the Leonards. For the record, it was stated that the school is compliant with noise codes and standards.
- He is waiting for information from the State Police regarding the amount of calls that they had to respond to within Union Township in the past two years.
Mr. Severino also emphasized the importance of supporting NJ League of Municipalities fight against charges for State Police Services as they feel they are unconstitutional.
- He is working on mandatory Air Quality Report.

- He mentioned a problem with a house on Rt. 173 next to Ikeria. Mr. Severino said that apparently the house changed ownership lately. Previous owner supposedly left about hundred cats that are now running wild. After a brief discussion, it was concluded that Atty. Jost will contact the owner of the property and HC Health Dept.

Mr. Bischoff noted that the report regarding noise levels coming from school air conditioning unit indicates that sound levels meet the daytime standards, but exceed nighttime limits.

Mrs. Dziubek reported the following:

- She said that two interested companies in the Milligan COAH project have picked up maps.
- Subconference for Milligan project is scheduled for Wednesday, August 27, 2008. All parties involved are planning to attend.
- Noticed, when signing claims vouchers, that there was a payment issued for LOSAP members. Mrs. Dziubek said that according to the Township ordinance all new members of the volunteer Fire and Rescue Squad have to be approved by resolution of the governing body. Atty. Jost said that the Twp. needs a copy of the new members application from both organizations. Mrs. Dziubek said that she wrote a memo to Dan Van Fossen, chief of the Pattenburg Fire Co. requesting a list of current members.
- Asked why electronic copies of the Township's General and Land Use Code are not posted on the website. Approval is needed from Twp. Attorney to post it on the website, Clerk said. Mr. Jost will notify the Clerk after examining the electronic copy.
- She announced that municipal business e-mails are now available to all Committee Members. Clerk has to set them up individually.

e. Clerk's Report

- Approval for UT CFO, Grace Brennan to attend Finance Officers Conference - Sept. 23rd to 26th, 2008.

Mr. Haynes made a motion to approve said Conference. Mr. Bischoff seconded. Vote – Ayes: Mr. Haynes, Mr. Severino, Mr. Bischoff, Mrs. Dziubek. Motion Carried.

PUBLIC COMMENTS - None

PAYMENT OF THE BILLS

Mr. Haynes moved that all claims against the Township of Union as appearing in the Claims Register of this date be paid and that all checks listed hereinafter be issued in payment thereof. Mr. Severino seconded. Vote – Ayes: Mr. Haynes, Mr. Severino, Mr. Bischoff, Mrs. Dziubek. Motion Carried.

EXECUTIVE SESSION

At approximately 10:41 p.m., the following resolution was introduced for adoption:

**RESOLUTION #2008-142
EXECUTIVE SESSION**

WHEREAS, N.J.S.A. 10:4-12 allows for a public body to go into closed session during a public meeting; and

WHEREAS, the Union Township Committee has deemed it necessary to go into closed session to discuss certain matters which are exempt from the public.

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Union will go into closed session for the following reason(s) as outlined in N.J.S.A. 10:4-12: Contract Negotiations and Potential Litigation.

Mr. Bischoff made a motion to adopt the above resolution. Mr. Haynes seconded. Vote – Ayes: Mr. Haynes, Mr. Severino, Mr. Bischoff, Mrs. Dziubek. Motion Carried.

At approximately 11:14 PM, Mr. Bischoff made a motion to return to the regular meeting, Mr. Severino seconded. Vote – Ayes: Mr. Haynes, Mr. Severino, Mr. Bischoff, Mrs. Dziubek. Motion Carried.

ADJOURNMENT – There being no further business to come before the Township Committee at this time, Mr. Bischoff made a motion to adjourn. Mr. Haynes seconded the motion. Motion carried by unanimous favorable roll call vote.

Meeting adjourned at approximately 11:15 p.m.

Respectfully submitted,

Ella Malecki Ruta, RMC
Municipal Clerk